

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE:

CHAPTER 7

MICHELLE VILLA

CASE No. 6:16-bk-07996-RAC

DEBTOR(S).

**SECURED CREDITOR'S REPLY TO TRUSTEE'S
RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

(Real Property: 1917 Saint Andrews Pl, Longwood, FL 32779)

Primary Residential Mortgage, Inc., its Successors and/or Assigns ("PRMI" or "Secured Creditor"), by and through its undersigned counsel, hereby replies to the Trustee's Response to Motion for Relief from Automatic Stay [ECF No. 9], and states:

1. On December 9, 2016, the Debtor filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code, which petition included a statement of intention to surrender real property located at 1917 Saint Andrews Pl, Longwood, FL 32779 ("Property").
2. On December 22, 2016, Secured Creditor filed a Motion for Relief from Stay as the holder of the first mortgage lien on the Property [ECF No. 7].
3. On January 11, 2017, the Chapter 7 Trustee filed a Response to Motion for Relief from Automatic Stay [ECF No. 9], which response indicated the Trustee would like to abate the motion for relief for a period of 180 days in an attempt to complete a short sale of the Property.
4. The Secured Creditor agrees to abate the Motion for Relief from Stay for 180 days according to the following terms:

- (a) Primary Residential Mortgage, Inc. would be paid at least 85% of Net Proceeds from the appraised value of the Property;
- (b) The Trustee must submit the offer to PRMI for approval and give a reasonable amount of time for PRMI to consider approval of the offer;
- (c) PRMI reserves the right to deny the offer.

5. After 180 days, PRMI is granted *in rem* relief from stay to include contact with the debtor regarding review for any loss mitigation assistance and options that may be available.

6. To the extent the terms above are agreed to, Secured Creditor agrees to abate the Motion for Relief from Stay for 180 days to allow the Trustee to attempt a short sale of the Property.

WHEREFORE, Secured Creditor agrees to the entry of an order:

- A) Abating the Motion for Relief from Stay for 180 days; and
- B) Requiring any sale of the Property to be subject to the approval of the Secured Creditor; and
- C) Granting such other and further relief this Court deems just and proper.

Gladstone Law Group, P.A.

BY: /s/ Spencer Gollahon
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 19, 2017, I electronically filed the foregoing with the Clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants listed below:

Lewis Matthew Roberts, Esq.
631 Palm Springs Drive #114
Altamonte Springs, FL 32701

Richard B Webber, Trustee
Post Office Box 3000
Orlando, FL 32907

U.S Trustee Middle District of Florida (Orlando Division)
George C Young Federal Building
400 West Washington Street
Suite 1100
Orlando, FL 32801

and on January 19, 2017, a true and correct copy was mailed to the non-CM/ECF participants listed below:

Michelle Villa
1917 Saint Andrews Pl
Longwood, FL 32779-4624

Gladstone Law Group, P.A.

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